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B. O. COLTON, JR.

WATER COMMISSIONER

LAKE FORK, UINTAH, WHITEROCKS RIVERS

ROOSEVELT, UTAH

Dec. 3, 1934.

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Mr. T. H. Humpherys,
State Engineer,
Salt Lake City, Utah.

Dear Mr. Humpherys:

Answer to your letter of Nov. 27th. has been delayed due to my desire to visit the Ouray Valley and Colorado Park section and learn the true status of affairs there relative to the use of water.

The Colorado Park Irr. Co. diverts water from the Uintah River under Application Nos. 1419 and 2043 when receiving same in its own right. The period of use under these filings is from Mar. 15th. to Oct. 15th. for irrigation and the entire year for domestic use needs. *1419-48 sent*

The Ouray Valley Co. receives it's water from the Whiterocks River under Application No. 10111. The period of use for irrigation begins Mar. 1st. and ends Dec. 15th. ✓

Domestic use and garden water has been delivered to both of these companies during this entire year thru the Whiterocks - Ouray Valley canal. On Nov. 16th. the entire flow of the Whiterocks River, which was available for irrigation, was turned to the Ouray Valley Co. with request that they fill the ponds and cisterns of the Colorado Park stockholders for winter use. I am informed that this was done- the water, for the most part, being turned over to and under the care of a Colorado Park ditch rider. Complaint is made by Ouray Valley users that it was mis-used during this time for irrigation, as well as for filling ponds etc.

Mr. Moses Moore who is, at present, the president of the Colo. Park Co., is also a stockholder in both companies. He has constructed two small reservoirs which are about four miles apart, and for which he has no water filings. He has always claimed the right to store the water he has been entitled to as a stockholder in these companies and thru this means and improper diversion of additional water has managed to fill his reservoirs and has sold it for irrigation to other people. He has also charged near by residents for the priveledge of getting ice there and has refused use of the water for stock watering purposes. Regardless of these conditions, I am informed by the officers of the other company, Mr. Moore was told that water would be turned into one or both of his reservoirs as soon as it could not be used for irrigation of the lands near there. This should be possible as it can be kept in a larger head than is usable for irrigation and the water can be kept in the canal for some time after it freezes on the fields.

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About 60 sec. ft. of water has been available, at canal headings, from the Uintah River. The irrigation rights of the Indian lands up till Nov. 1st. and of the Dry Gulch Irr. Co. under Application No. 3062, since that time, has taken all of the supply not used for domestic and stock watering purposes. Approximately 30 sec. ft. is diverted by the two U.S. Indian canals and the Whiterocks-Ouray Valley canal from the Whiterocks River. Some 8 sec. ft. of water from the Fish Hatchery Springs and other seepage sources has gone into the U. S. Deep Creek canal and to the Uintah River Irr. Co. These sources cover the supply.

There has always been some discord and contention between these companies and the stockholders as well, over the little water available during the Spring and Fall periods. And even during the high water periods there has been a lack of harmony. Drawing their supply from different sources and being under the same canal and laterals in its distribution, there is plenty of occasion for disagreement between them. I have been somewhat successful in settling differences and in getting other people together where it seemed so necessary but have failed in several attempts to do it as between these interests. I see no way here except to apply the water under the legal rights as definitely as possible with the hope that their common grief will bring them together. I can see no real justification for the complaint as made and am of the opinion that those making it do not have a very clear conception of the irrigation law and its application to their own case.

If I can be of further service in the matter do not hesitate to call on me.

Very truly yours,

B. O. Colton Jr.

